

**DISTRICT OF COLUMBIA  
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT**

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**BULLETIN NO. 32**

**April 2014**

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**BREASTFEEDING MOTHERS POLICY**

**I. POLICY**

- A. Consistent with the District of Columbia “Child’s Right to Nurse Human Rights Amendment Act of 2007,” the D.C. Fire and Emergency Medical Services Department (Department) recognizes that breastfeeding a child “constitutes a basic act of nurturing to which every mother and child has a right and which should be encouraged in the interests of maternal and child health.” D.C. Code §2-1402.81 *et seq.*
1. Breastfeeding provides physiological and emotional benefits to both the mother and child and is valuable in the child’s development.
  2. Breastfeeding is recommended by the Department of Health and Human Services (HHS), the American Academy of Pediatrics, the American Academy of Family Physicians, and the American College of Obstetricians and Gynecologists.
- B. It is the policy of the Department to provide reasonable break time during work hours for a member to express breast milk for her nursing child for one (1) year after the child’s birth.
- C. This policy supersedes and replaces Bulletin 29, Section 11.

**II. DEFINITIONS**

When used in this directive, the following terms shall have the meanings designated:

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|----|------------------------|--|
| A. | <b>Member:</b>         | single role, dual role, and civilian female employees.   |
| B. | <b>Reasonable:</b>     | not imposing an undue hardship on the operation of the Department.   |
| C. | <b>Undue Hardship:</b> | any action that requires significant difficulty or expense when considered in relation to factors such as the size of the Department, its financial resources, and the nature and structure of its operation.              |
| D. | <b>Emergency:</b>      | Any emergency (911) call, dispatch from the Office of Unified Communications, assistance requested by any person from any employee for medical or fire assistance regardless if the request is made in-person or by phone. |

### III. REGULATIONS

- A. The Department shall provide breastfeeding members reasonable break-time to express breast milk. However, the Department shall not be required to provide break periods if it would create an undue hardship on the operations of the Department.
- B. If the Department is unable to accommodate a breastfeeding member assigned to the Operations Division, the member may be temporarily reassigned to an assignment — including, but not limited to, an administrative assignment — that does not impact the Department's operational capacity.
- C. Breastfeeding members may use lactation rooms during allotted breaks in their tours of duty — such as lunch breaks — without the submission of a leave request.
  - 1. Break times shall be no more than 15 minutes every 3 hours.
  - 2. Break times shall be scheduled by the on-duty Platoon Commander or, if unavailable, the on-duty Battalion Fire Chief. ***Operational units shall not be taken out of service for lactation.***
- D. In the event that the breastfeeding member wishes to use a lactation room while on-duty outside of an allotted break time, the breastfeeding member shall:
  - 1. submit a leave request for any available leave (*i.e.*, annual, sick, compensatory, etc.), or request leave without pay; and
  - 2. submit a DC Standard Form 71 (Application for Leave) noting the leave category requested.
- E. If any paid or unpaid break period is already provided to a breastfeeding member, the break period required for breastfeeding shall run concurrently with the break period(s) already provided.
- F. Once a member's breastfeeding break time has been approved, the break shall not be interrupted **except for emergency or exigent circumstances**. If a member's 15 minute breastfeeding break time is interrupted, the member may continue her break time when she returns to her work location. However, the total time of a single break shall not exceed 15 minutes.

### IV. LACTATION ROOM DESIGNATION

- A. Upon request, the Department will designate a lactation room for the breastfeeding mother. The Department shall make reasonable efforts to provide a private / sanitary room — or other suitable location (other than a bathroom or lavatory stall) — in close proximity to the member's work area where a member can express breast milk privately and securely. Lactation rooms are available for use twenty-four (24) hours a day, seven (7) days a week, including holidays.

- B. Restrooms shall not be designated as appropriate spaces for lactation purposes.
- C. Supervisors shall ensure that lactation rooms are maintained in a clean and sanitary condition.

## **V. STORAGE OF EXPRESSED BREAST MILK**

- A. The Department shall not be responsible for securing a member's breastfeeding equipment, breastfeeding supplies and/or expressed breast milk — this is the breastfeeding member's sole responsibility.
- B. The Department will make reasonable efforts to provide breastfeeding members with a private / locked mini-refrigerator.
  - 1. Members who store expressed breast milk in any refrigerated area within any Department facility shall clearly label the container with their name, and the date the milk was expressed.
  - 2. Members shall remove all breast milk placed in refrigerators at the end of each tour of duty.
  - 3. No employee shall handle, move or dispose of another member's breast milk without authorization from the on-duty Platoon Commander or, if unavailable, the on-duty Battalion Fire Chief.
- C. The Department reserves the right to inspect any lactation room and/or storage area, including locked refrigerators.

## **VI. LACTATING MEMBER'S RESPONSIBILITIES**

- A. When a member advises a Police and Fire Clinic physician she is breastfeeding, the member will be given a "Physician's Information and Work Status Release" Form (Physician's Release) to take to their private physician for completion. The member shall submit the completed form through channels to the Department's Medical Officer before using a Department designated lactation room.
- B. Members shall submit a special report directly to the Department's EEO & Diversity Manager to request that a room be designated for lactation. The request shall be made 30 days before the first day the member wishes to use a lactation room, and shall include a medical certification from the member's primary doctor verifying the member is breastfeeding and for how long the member will be breastfeeding.
- C. Members shall be responsible for purchasing or renting suitable equipment to express and contain their breast milk and shall be responsible for securing all personal breastfeeding equipment and supplies appropriately.

- D. Members shall ensure lactation rooms are left in a clean and orderly manner after each use, to include wiping spills and removing any trash/debris.

## **VII. SUPERVISOR RESPONSIBILITIES**

Supervisors shall direct the affected member to review this policy once she notifies her command of her pregnancy.

## **VIII. COMPANY OFFICER RESPONSIBILITIES**

Company Officers shall ensure that employees comply with the terms of this Bulletin, bearing in mind that non-compliant employees may be subject to discipline. Company Officers shall also routinely inspect lactation rooms and refrigerators.

## **IX. DIRECTOR, HUMAN RESOURCES DIVISION, RESPONSIBILITIES**

The Director, Human Resources Division, shall ensure this policy is provided to all new employees.

## **X. CROSS REFERENCES**

D.C. Human Rights Act of 1977 as amended by the "Child's Right to Nurse Human Rights Amendment Act of 2007" March 14, 2007. D.C. Code §2-1402.81 *et seq.*